

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

FERRILL JOSEPH VOLPICELLI,

*Petitioner,*

vs.

JACK PALMER, *et al.*

*Respondents.*

3:10-cv-00005-LRH-VPC

ORDER

This habeas matter under 28 U.S.C. § 2254 comes before the Court for initial review pursuant to Rule 4 of the Rules Governing Section 2254 Cases. The filing fee has been paid.

Local Rule LSR 3-1 requires that a *pro se* petitioner must use the Court's petition form for a Section 2254 petition. The petition form requires that the petitioner attach a copy of all state court written decisions regarding the conviction. Petitioner did not attach a copy of any of the state court decisions regarding his conviction. Petitioner must file copies of these decisions as well as of the remaining items listed at the conclusion of this order, which are necessary for the Court to complete initial review in this particular case.

IT THEREFORE IS ORDERED that the Clerk of Court shall file the petition and accompanying motion for appointment of counsel but shall withhold service at this time.

IT FURTHER IS ORDERED that, within thirty (30) days of entry of this order, petitioner shall file a supplemental exhibit with copies of the following: (a) the briefing and/or fast track statements on his direct appeal; (b) the state supreme court's order of affirmance on direct appeal; (c) all papers filed by or on behalf of petitioner presenting state post-conviction claims in the state district court; (d) the

1 written decisions of the state district court and the state supreme court on any state post-conviction  
2 review; and (e) all remittiturs issued by the state supreme court in connection with the foregoing  
3 proceedings.

4 IT FURTHER IS ORDERED that this action may be dismissed without further advance notice  
5 if petitioner fails to both fully and timely comply with this order.

6 The Clerk of Court shall send petitioner a copy of the petition that he submitted.<sup>1</sup>

7 DATED this 26th day of April, 2010.

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LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> The Court has not completed initial review herein, and this order does not explicitly or implicitly hold that the petition otherwise is free of deficiencies.